

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

DEFENDANTS' UNOPPOSED MOTION ON SETTLEMENT CONFERENCE

Defendants President, Indiana State University, and Vice President for University Engagement, Indiana State University respectfully file this motion, unopposed by Plaintiff Pride Center of Terre Haute, Inc., regarding attendance at the Court’s March 21, 2025, settlement conference. Specifically, Defendants move for the Court’s approval, as material compliance with the Court’s order, ECF No. 13 (the “Order”), to have Indiana State University’s General Counsel J.D. Lux represent the Defendants at the settlement conference.

In support of this motion, Defendants advise the Court as follows:

1. The Court's Order establishes a settlement conference for March 21, 2025. In terms of party representation at this conference, the Order directs as follows: "unless excused by written order of the Court, every individual party, and an officer (President, Vice President, Treasurer, Secretary, CFO, CEO or COO) of every corporate entity that is a party, shall attend the settlement conference." Order at 3.

2. Here, the Complaint is materially directed at an institution, Indiana State University (“ISU,” the “University”), although it technically names individual persons as Defendants, by their

institutional titles: “President” and “Vice President for University Engagement.” The Complaint respectively names these Defendants “in his official capacity” and “in her official capacity.”

3. Legal matters directed to state university officials in their official capacities are the responsibility of the institution’s general counsel or chief legal officer. Here, that official is ISU General Counsel J.D. Lux. The position of General Counsel at ISU is a member of the President’s Cabinet, reporting directly to the President, at the same level as the University officials who have “Vice President” titles.

4. Defendants wish to have Mr. Lux appear at the settlement conference as their official representative. His appearance would comply with all other directives in the Order.

5. Defendants submit that this would comply with the spirit and intention of the Order, and would ensure maximum efficacy for achieving a resolution of this case at the settlement conference.

6. During the Court’s March 13, 2025, status teleconference, the parties and the Court discussed this subject, and the Court directed the Defendants to file this motion to obtain the relief requested herein. Counsel for the Plaintiff supplied their consent to this relief.

WHEREFORE, Defendants respectfully ask the Court to grant the relief requested above.

DATED: March 17, 2025

Respectfully submitted,

/s/ Kristin Froehle

Kristin Froehle (#38561-49)
Chris Bayh (#31880-29)
Clarissa Vaillancourt (#39054-49)
BARNES & THORNBURG, LLP
11 South Meridian Street
Indianapolis, Indiana 46204
Tel (317) 236-1313 | Fax (317) 231-7433
Chris.bayh@btlaw.com
Kristin.froehle@btlaw.com
Claire.vaillancourt@btlaw.com

*Attorneys for President, Indiana State University,
and Vice President for University Engagement,
Indiana State University*

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing was served via CM/ECF on March 17, 2025.

/s/ Kristin L. Froehle